

**SEMINOLE COUNTY GOVERNMENT  
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION  
AGENDA MEMORANDUM**

**SUBJECT:** Seminole Harley-Davidson Rezone M-1A (Very Light Industrial District) to M-1 (Industrial District)

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Matthew West **CONTACT:** Tina Deater **EXT.** 7440

**Agenda Date** 11/03/04 **Regular** ☐ **Work Session** ☐ **Briefing** ☐  
**Special Hearing – 6:00** ☐ **Public Hearing – 7:00** ☒

**MOTION/RECOMMENDATION:**

1. Recommend APPROVAL of the request for rezoning from M-1A (Very Light Industrial District) to M-1 (Industrial District) on approximately 5.5 acres, located on the west side of Hickman Circle approximately 850 feet north of Hickman Drive. (Hugh Harling, applicant); or
2. Recommend DENIAL of the request for rezoning from M-1A (Very Light Industrial District) to M-1 (Industrial District) on approximately 5.5 acres, located on the west side of Hickman Circle approximately 850 feet north of Hickman Drive. (Hugh Harling, applicant); or
3. CONTINUE the public hearing until a time and date certain.

District 5 – Commissioner McLain

Tina Deater, Senior Planner

**BACKGROUND:**

The applicant requests rezoning from M-1A and to M-1 on approximately 5.5 acres, located on the west side of Hickman Circle approximately 850 feet north of Hickman Drive, in order to allow retail sales and service of Harley-Davidson motorcycles. The future land use designation for the property is IND (Industrial) which allows the proposed M-1 zoning classification.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the requested M-1 zoning classification.

**Attachments:**

Ordinance  
Locator Map  
Aerial map

<b>Reviewed by:</b> <u>VL</u>
<b>Co Atty:</b> _____
<b>DFS:</b> _____
<b>OTHER:</b> _____
<b>DCM:</b> _____
<b>CM:</b> _____
<b>File No.</b> <u>Z2004-052</u>

## SEMINOLE HARLEY-DAVIDSON REZONE M1-A TO M-1

REQUEST INFORMATION		
APPLICANT	Hugh Harling, Jr. P.E.	
PROPERTY OWNER	Spaceport-USA, Inc.	
REQUEST	Rezone property from M-1A (Very Light Industrial District) to M-1 (Industrial District)	
HEARING DATE (S)	P&Z: 11/3/04	BCC:12/14/04
PARCEL ID	20-19-30-5fl-0C00-0050, 20-19-30-5fl-0C00-0060, 20-19-30-5fl-0C00-0070	
LOCATION	Located on the west side of Hickman Circle approximately 850 feet north of Hickman Drive	
FUTURE LAND USE	Industrial	
FILE NUMBER	Z2004-052	
COMMISSION DISTRICT	District 5 – Commissioner McLain	

### OVERVIEW

**Zoning Request:** The applicant requests rezoning from M-1A and to M-1 on approximately 5.5 acres, located on the west side of Hickman Circle approximately 850 feet north of Hickman Drive, in order to allow retail sales and service of Harley-Davidson motorcycles. In the M-1A zoning district, retail sales are only allowed as a use ancillary to a permitted manufacturing use. The future land use designation for the property is IND (Industrial) which allows the proposed M-1 zoning classification.

### Existing Land Uses:

	EXISTING ZONING	FUTURE LAND USE	CURRENT USE
SITE	M-1A (Very Light Industrial District)	Industrial	Vacant
NORTH	M-1A (Very Light Industrial District) and M-1 (Industrial District)	Industrial	Light Manufacturing, Vacant
SOUTH	M-1A (Very Light Industrial District)	Industrial	Light Manufacturing
EAST	M-1A (Very Light Industrial District)	Industrial	Light Manufacturing, Mini Warehouses
WEST	M-1A (Very Light Industrial District)	Industrial	Vacant

For more detailed information regarding zoning and land use, please refer to the attached map.

## **SITE ANALYSIS**

### **Facilities and Services:**

The proposed zoning is consistent with the adopted future land use designation assigned to the property and would not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Seminole County Comprehensive Plan.

### **Utilities:**

Water and sewer utilities are provided by Seminole County and are available to the site.

### **Transportation / Traffic:**

Access is available to the site from Hickman Circle, which is classified as a local road and does not have an adopted level of service (LOS).

### **Compliance with Environmental Regulations:**

At this time there are no concerns regarding compliance with environmental regulations.

### **Compatibility with Surrounding Development:**

Currently, the surrounding area has an Industrial future land use designation. The proposed rezone to M-1 is compatible with the character of the surrounding area.

## **STAFF RECOMMENDATION**

Staff recommends approval of the requested M-1 rezone based on the following findings:

1. The M-1 zoning district would not be detrimental to the character of the area or neighborhood or inconsistent with the trends of development in the area; and
2. The M-1 zoning district is compatible with the concepts of its future land use designation of Industrial land use; and
3. The uses within the proposed M-1 zoning district would not have an unduly adverse effect on existing traffic patterns, movements or intensity.



AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT A); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE M-1A ZONING CLASSIFICATIONS THE M-1 ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

**Section 1. LEGISLATIVE FINDINGS.**

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled, "Seminole Harley-Davidson Rezone M-1A to M-1 Staff Report."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

**Section 2. REZONINGS.** The zoning classification assigned to the following described property is changed from M-1A to M-1 in accordance with the contents of the documents titled, "Seminole Harley-Davidson Rezone M-1A to M-1 Staff Report":

**SEE ATTACHED EXHIBIT A**

**Section 3. CODIFICATION.** It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

**Section 4. SEVERABILITY.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

**Section 5. EFFECTIVE DATE.** A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective upon filing by the Department.

ENACTED this 14th day of December, 2004.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

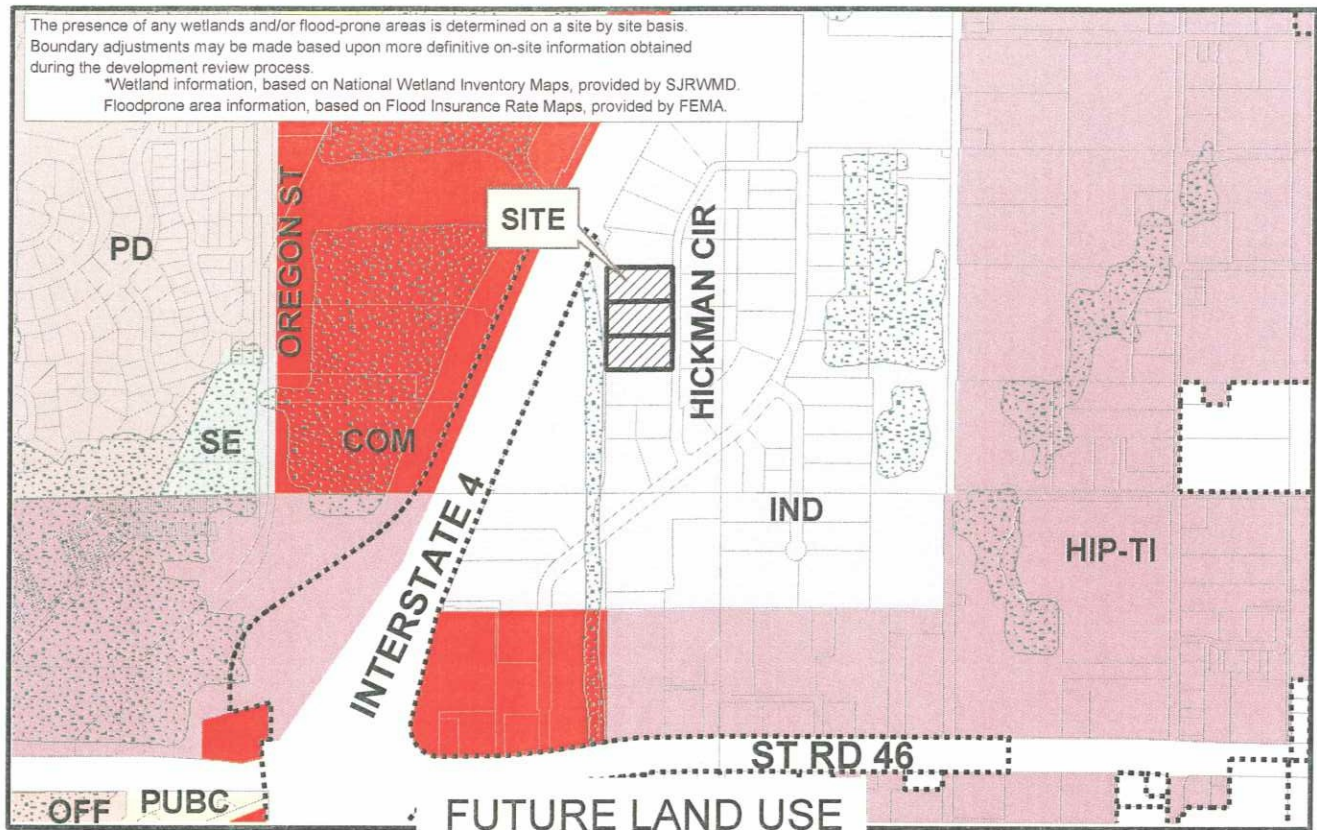
By: \_\_\_\_\_

**EXHIBIT A**  
**LEGAL DESCRIPTION**

Lots 5, 6, and 7, Block "C", I-4 Industrial Park – 3<sup>rd</sup> Section as Recorded in Plat Book 25,  
Pages 23 and 24 of the Public Records of Seminole County.



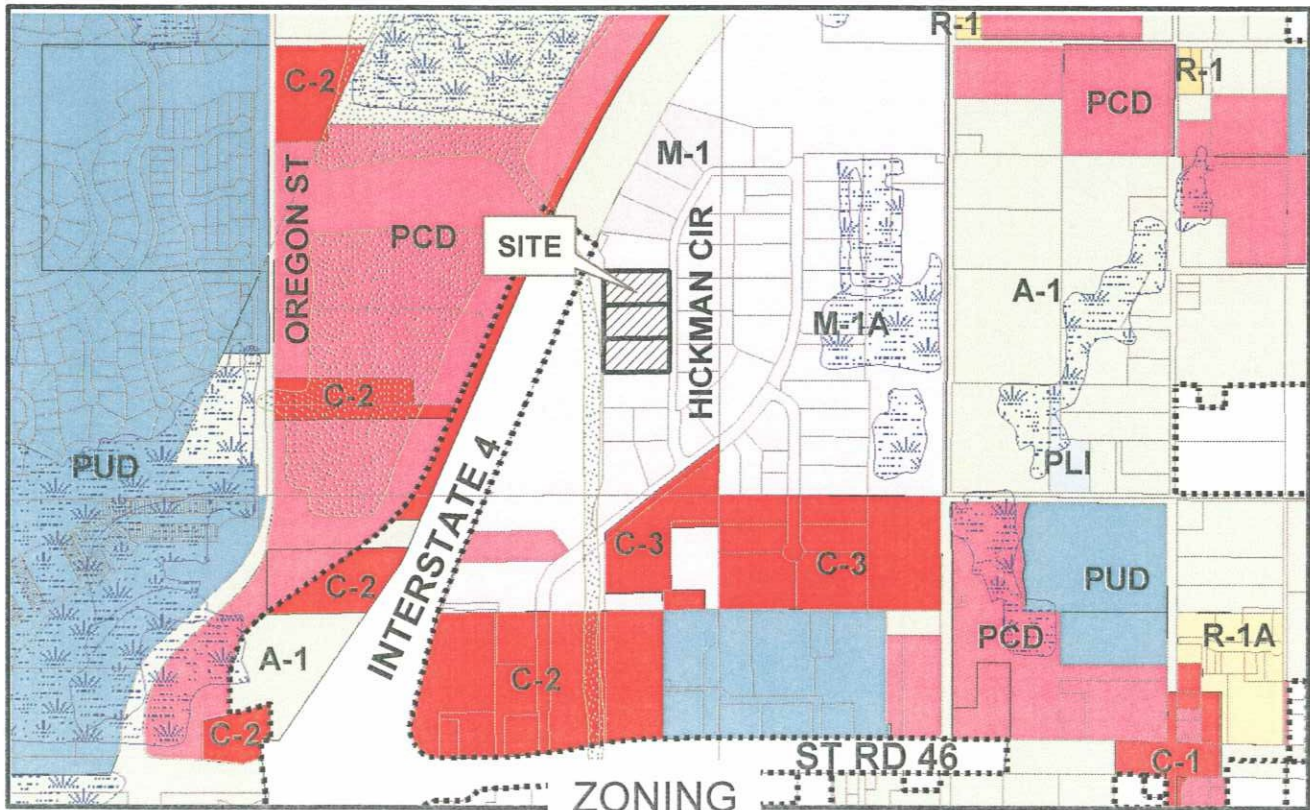
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis.  
 Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.  
 \*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.  
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



SE PD OFF COM HIPTI IND PUB  
 Site Municipality CONS

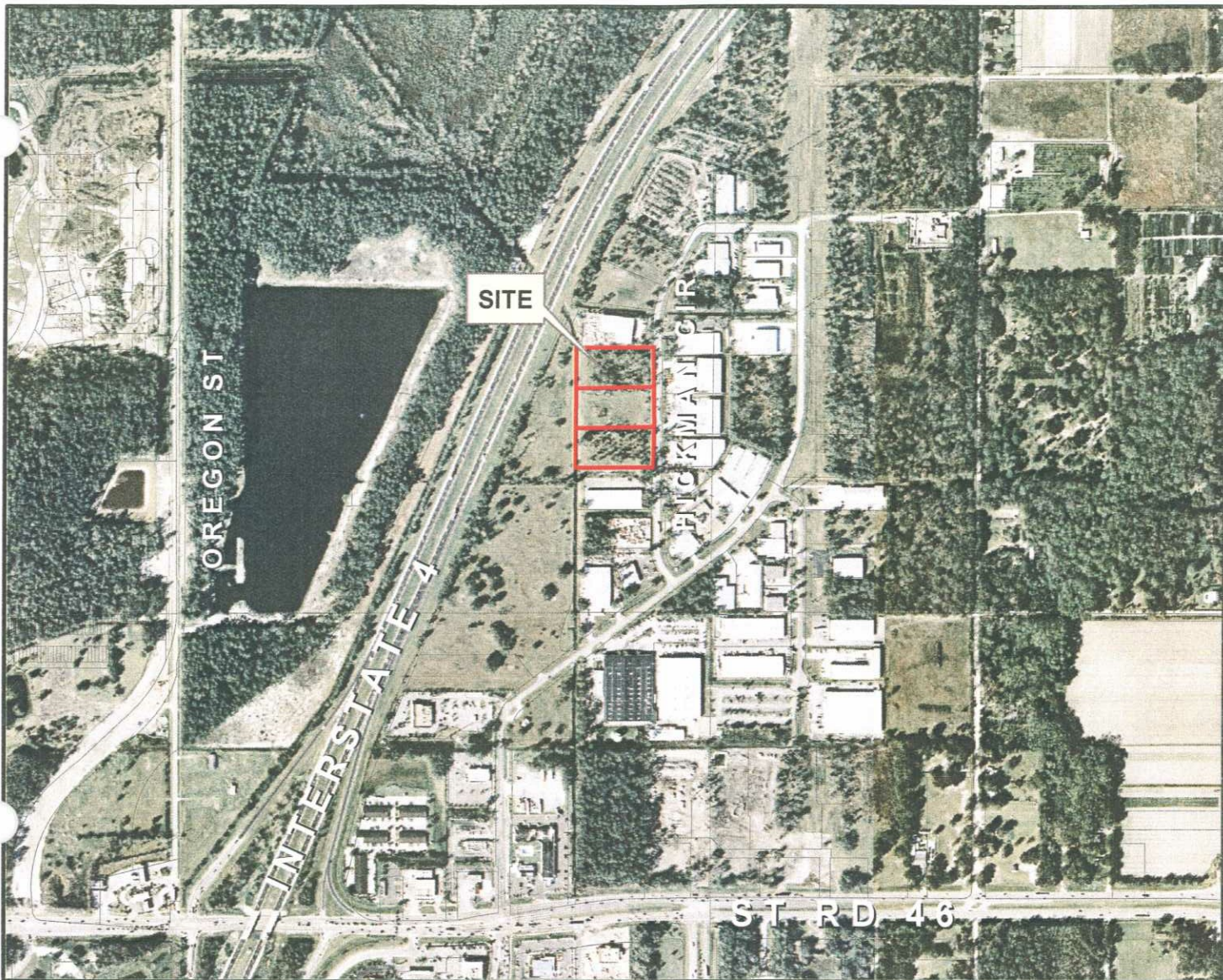
Applicant: Spaceport U S A Inc  
 Physical STR: all 20-19-30-5FL-0C00-0050, 0060 & 0070  
 Gross Acres: 5.46 BCC District: 5  
 Existing Use: Vacant Industrial  
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	n/a	n/a	n/a
Zoning	z2004-052	M-1A	M-1



A-1 R-1A R-1 C-1 C-2 C-3 M-1A M-1 PUD  
 PCD PLI FP-1 W-1





Amendment No: n/a  
 From: n/a To: n/a  
 Rezone No: z2004-052  
 From: M-1A To: M-1

☐ Parcel  
☒ Subject Property



February 1999 Color Aerials